

AMENDED IN SENATE AUGUST 5, 2014

AMENDED IN SENATE JULY 1, 2014

AMENDED IN SENATE JUNE 9, 2014

AMENDED IN ASSEMBLY APRIL 23, 2014

AMENDED IN ASSEMBLY APRIL 10, 2014

AMENDED IN ASSEMBLY MARCH 28, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 1809**

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**Introduced by Assembly Member Maienschein**

February 18, 2014

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An act to add Chapter 1.5 (commencing with Section 121720) to Part 6 of Division 105 of the Health and Safety Code, relating to veterinary public health.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1809, as amended, Maienschein. Dogs: health certificates.

Existing law imposes specified requirements on animal owners in order to prevent or control the transmission of zoonotic diseases, such as rabies, and communicable diseases ~~amongst~~ *among* animals. Existing law also provides for the licensing and registration of dogs, as specified.

This bill would require a person seeking to bring a dog into this state, or importing dogs into this state for the purpose of resale or change of ownership, to obtain a health certificate with respect to that dog that has been completed by a licensed veterinarian and is dated within 10 days prior to the date on which the dog is brought into the state. The bill would require the person to submit the health certificate to the

county health department, as specified. The bill would exempt from these requirements a person who brings a dog into the state that will not be offered for resale or if the ownership of the dog is not expected to change. The bill also would exempt from these requirements the import of a dog used for law enforcement or military work, a guide dog, as defined, or a dog imported as a result of a declared emergency or an investigation by law enforcement of an alleged violation of state or federal animal fighting or animal cruelty laws. The bill would authorize the agency receiving the health certificate to use the information on the health certificate as it deems appropriate, and to charge a fee in a reasonable amount sufficient to cover the costs associated with receiving and processing a health certificate submitted to the county health department pursuant to these provisions. By imposing a higher level of service on county health agencies, the bill would impose a state-mandated local program.

This bill would make a violation of its provisions an infraction punishable by a fine not to exceed \$250 for each dog for which a violation has occurred, ~~and or, in lieu of punishment as an infraction,~~ would authorize animal control personnel to issue *an administrative fine for the same amount or a correction warning in lieu of the fine,* ~~warning,~~ subject to specified exceptions. By creating a new crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 1.5 (commencing with Section 121720)  
2 is added to Part 6 of Division 105 of the Health and Safety Code,  
3 to read:

4  
5 CHAPTER 1.5. DOG IMPORTATION: HEALTH CERTIFICATES

6  
7 121720. (a) (1) A person seeking to bring a dog into this state  
8 or importing dogs into this state for the purpose of resale or change

1 of ownership shall obtain a health certificate with respect to that  
2 dog that has been completed by a licensed veterinarian and is dated  
3 within 10 days prior to the date on which the dog is brought into  
4 the state.

5 ~~(2) The person who is reselling or changing ownership as~~  
6 ~~described in paragraph (1)~~

7 *The person seeking to bring the dog into this state or importing*  
8 *dogs into this state for the purpose of resale or change of*  
9 *ownership shall submit the health certificate to the county health*  
10 *department as provided in subdivision (c). The person may shall*  
11 *submit the health certificate to the county health department by*  
12 ~~*electronic transmission, facsimile, or any other*~~ *any method*  
13 ~~*accepted by the receiving agency.*~~ *agency, including, but not limited*  
14 *to, electronic transmission and facsimile.*

15 (b) Completion of a United States Department of Agriculture  
16 Animal and Plant Health Inspection Service Form 7001, known  
17 as the United States Interstate and International Certificate of  
18 Health Examination for Small Animals, shall satisfy the  
19 requirement of subdivision (a). A different form of canine health  
20 certificate acceptable to the receiving agency shall also satisfy the  
21 requirement of subdivision (a).

22 (c) It shall be the responsibility of persons importing dogs into  
23 this state for the purpose of resale or change of ownership to send  
24 the health certificate to the county health department where the  
25 dog is to be offered for sale or to the county of residence of the  
26 individual purchasing or receiving a dog directly from a source  
27 outside of California.

28 (d) The receiving agency may use the information on the health  
29 certificate as it deems appropriate.

30 121721. (a) This chapter does not apply to a person who brings  
31 a dog into the state that will not be offered for resale or if the  
32 ownership of the dog is not expected to change.

33 (b) This chapter does not apply to the import of a dog used for  
34 law enforcement or military work, a guide dog, as defined by  
35 subdivision (d) of Section 365.5 of the Penal Code, or a dog  
36 imported as a result of a declared emergency as described by  
37 Section 8558 of the Government Code or an investigation by law  
38 enforcement of an alleged violation of state or federal animal  
39 fighting or animal cruelty laws.

1 121722. The agency that receives a form pursuant to Section  
2 121720 may charge a fee in a reasonable amount sufficient to cover  
3 the costs associated with receiving and processing a health  
4 certificate submitted to the agency pursuant to this chapter.

5 121723. (a) A person who violates a provision of this chapter  
6 is guilty of an infraction, punishable by a fine not to exceed two  
7 hundred fifty dollars (\$250) for each dog for which a violation has  
8 occurred.

9 (b) In lieu of punishment pursuant to subdivision (a), authorized  
10 ~~animal control enforcement~~ personnel may issue *an administrative*  
11 *fine in the same amount specified in subdivision (a) or* a correction  
12 warning to a person who violates a provision of this chapter, unless  
13 the violation endangers the health or safety of the animal, the  
14 animal has been wounded as a result of the violation, or *an*  
15 *administrative fine or* a correction warning has previously been  
16 issued to the individual. The *administrative fine or* correction  
17 warning shall require the person to correct the violation.

18 SEC. 2. No reimbursement is required by this act pursuant to  
19 Section 6 of Article XIII B of the California Constitution because  
20 of both of the following:

21 (a) A local agency or school district has the authority to levy  
22 service charges, fees, or assessments sufficient to pay for the  
23 program or level of service mandated by this act, within the  
24 meaning of Section 17556 of the Government Code.

25 (b) This act creates a new crime or infraction, eliminates a crime  
26 or infraction, or changes the penalty for a crime or infraction,  
27 within the meaning of Section 17556 of the Government Code, or  
28 changes the definition of a crime within the meaning of Section 6  
29 of Article XIII B of the California Constitution.